

ORDINANCE NO. 790809-E

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

AN 4.27 ACRE TRACT OF LAND, LOCALLY KNOWN AS 811 WEST LIVE OAK (GREEN PASTURES), FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT TO "A-H" RESIDENCE-HISTORIC, FIRST HEIGHT AND AREA DISTRICT, "LR-H" LOCAL RETAIL-HISTORIC, FIRST HEIGHT AND AREA DISTRICT, AND "C-H" COMMERCIAL-HISTORIC, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE and HEIGHT and AREA designations from "A" Residence, First Height and Area District, "LR" Local Retail, First Height and Area District, and "C" Commercial, First Height and Area District to "A-H" Residence-Historic, First Height and Area District, "LR-H" Local Retail-Historic, First Height and Area District, and "C-H" Commercial-Historic, First Height and Area District on the property described in File C14h-79-013 to-wit:

An 4.27 acre tract of land being all of or the remaining portions of the following parcels of land:

2.84 acres of land including the east one-half of Lot 2, all of Lot 3 and the major portions of Lots 4, 10 and 11 in Block 8, and the east 69 feet of Lots 12 and 13 of Block 10, Davis and Dawson Addition, and including all of that alley which has never been used by the public and which has been enclosed and claimed by Henry Faulk and his heirs since August 2, 1916, which alley is bounded on the north by Lot 10 of Block 8 of the Davis and Dawson Addition, and including about 300 square feet, a portion of South 4th Street, as shown by a map of the Davis and Dawson Addition as recorded in Plat Book 1, Page 94, Travis County, Texas, and also including about 1.86 acres of land which is a part of that 17.75 acre tract of land which was known as Block C-3 in a partition suit entitled Sidney Fox vs. James Bouldin, et al, and numbered Cause No. 8930 of the District Court of Travis County, Texas;

Also, the west portion of Lots 12 and 13 of Block 10, Davis and Dawson Addition, being all of said Lots 12 and 13 of Block 10, except the east portion of said lots, which

were conveyed to Chester L. Kooch, et ux, by deed of Mrs. Martha C. Faulk, individually and as executrix and sole devisee of the estate of Henry Faulk, deceased, dated March 14, 1945, recorded in Volume 755, Page 563, Travis County, Texas, Deed Records.

Being an area out of the southwest corner of Lot 3 in Block C of the James E. Bouldin Estate Subdivision and more particularly described in said Cause No. 8930 and lying immediately south of the 2.84 acre tract which was conveyed in the above mentioned deed of conveyance to Chester L. Kooch, et ux, by Mrs. Martha C. Faulk, individually and as executrix and sole devisee of the estate of Henry Faulk, deceased;

Also, Lot 1 and the west one-half of Lot 2 in Block 8 in Davis and Dawson South Extension of Bouldin Addition according to the map or plat of said addition recorded in Volume 1, Page 94, Travis County, Texas, Plat Records and being the same property conveyed by J. M. Spillar and wife, Alice Spillar, to Chester L. Kooch and wife, Mary Faulk Kooch, by deed recorded in Volume 979, Page 73, of Travis County Deed Records.

BEGINNING for a point of reference at the northwest corner of Lot 10, Block H, Loma Linda Subdivision, as recorded in Plat Book 4, Page 216, of the Plat Records of Travis County, Texas, also being on the east line of South 4th Street;

THENCE, along the north line of Lot 10 of the aforementioned subdivision S 69° 13' E a distance of 71.63 feet to the POINT OF BEGINNING;

THENCE, S 69° 23' E along the north line of the aforementioned Loma Linda Subdivision 121.68 feet to a point, being the southwest corner of Lot 9, Block 1 of Bawcom Subdivision as recorded in Book 1, Page 51, in the Plat Records of Travis County, Texas;

THENCE, N 22° 20' E along the west line of the aforementioned Bawcom Subdivision at 206 feet passing the southeast corner of the 2.84 acre tract, at 439.57 feet passing the northwest corner of Lot 1, Block 1, Bawcom Subdivision, crossing Lots 11, 10 and 4 of Block 8, Davis and Dawson Addition to a point on the south line of West Live Oak Street, in all a distance of 664.57 feet;

THENCE, N 69° 00' W along the south line of West Live Oak to an intersecting point with the centerline of the vacated portion of South 4th Street a distance of 197.17 feet for a point;

THENCE, along the centerline of the vacated portion of South 4th Street S 30° 11' W 128.00 feet to a point;

THENCE, N 69° 00' W at 30 feet passing the southeast corner of Lot 9, Block 10 of the aforementioned Davis and Dawson Addition to a point on the south line of Lot 5, in all a distance of 238.91 feet to a point;

THENCE, S 27° 39' W crossing the abandoned alley previously noted at 13 feet passing the northwest corner of Lot 12, Block 10, Davis and Dawson Addition and continuing in all a distance of 100.4 feet to a point, being the northeast corner of Lot 1, Talbert Subdivision, as recorded in Plat Book 63, Page 9, in the Plat Records of Travis County, Texas;

THENCE, along the boundary line of the aforementioned subdivision the following three courses:

- 1) S 21° 29' W for 64.00 feet to a point,
- 2) S 68° 31' E for 112.00 feet,
- 3) S 21° 29' W for 164.00 feet to a point, said point being the southeast corner of Lot 2, Talbert Subdivision;

THENCE, S 58° 10' E a distance of 129.62 feet to a point, along the north and east boundary lines of a 2.637 acre tract as recorded in Book 4212, Page 2332, of the Deed Records of Travis County, Texas, also being the common boundary line with the Chester L. Kooch property;

THENCE, S 67° 49' E a distance of 109.67 feet to the northeast corner of the aforementioned 2.637 acre tract for an angle point;

THENCE, S 22° 23' W along the east line of the aforementioned 2.637 acre tract also being the common line with the Kooch property distance of 182.74 feet to the POINT OF BEGINNING,

locally known as 811 West Live Oak (Green Pastures), in the City of Austin, Travis County, Texas.

PART 2. It is hereby ordered that the USE and HEIGHT and AREA maps accompanying Chapter 45 of the Austin City Code of 1967 and made a part thereof shall be changed so as to record the change ordered in this ordinance.

PART 3. The rule requiring that ordinances shall be read on three separate days is hereby suspended, and this ordinance shall become effective ten (10) days following the date of its passage.

PASSED AND APPROVED

August 9, 1979

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Carol Keith McEllen
Mayor

APPROVED: *Albert De La Rosa*
City Attorney

ATTEST: *Grace Monroe*
City Clerk